

REMARKS

Claims 1-20 are pending in the current application. Claims 1-20 currently stand rejected, and claims 1-12 and 17-20 have been amended. Reconsideration and allowance of claims 1-20 are respectfully requested in light of the preceding amendments and following remarks.

Acceptance of Drawings

Applicants note that the official Office Action dated January 28, 2008 does not indicate the acceptability of the drawings filed in connection with the present application. Applicants respectfully request the Examiner acknowledge and indicate the acceptability of all figures in the next Office Action.

35 U.S.C. § 101 Rejection

Claims 1-9 stand rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Applicants respectfully traverse this rejection for the reasons detailed below.

With regard to claim 1, the Examiner states that the claimed data structure is not embodied in a computer readable medium and thus is incapable of causing functional change in a computer, as required for functional descriptive material. Applicants respectfully submit that claims 1-9 have been amended to recite a “computer-readable medium” that stores the data structure, addressing the Examiner’s basis for the rejection under § 101. Applicants further submit that the claimed data structure imparts managerial function to the computer readable medium, namely, “managing reproduction of multi-path video data recorded on the computer-readable medium,” as elaborated in the claim. Thus, in the language of MPEP §2106.01, claim 1 is directed to a claimed computer-readable medium storing a data structure defining structural

and functional interrelationships between the different types of title information, management information, and the computer software and hardware components that permit the management to be realized, and is statutory.

Because claim 1 as amended recites functional descriptive material stored on a computer-readable medium, the claim recites statutory subject matter. Claims 2-9 are allowable at least for depending from an allowable base claim. Withdrawal of the rejection to claims 1-9 under 35 U.S.C. § 101 is respectfully requested.

35 U.S.C. § 102 Rejection

Claims 1-4, 6, 8-15, and 17-19 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by US Pat 6,185,365 to Murase et al. (“Murase”). Applicants respectfully traverse this rejection for the reasons detailed below.

With regard to claim 1, the Examiner alleges that Murase teaches each and every element of this claim, including title management information including a “title block having an entry title and at least one non-entry title” and “mutually different reproduction paths” among those titles pertaining to the title block. Applicants respectfully submit that Murase teaches title management information including a single type of title, not both entry and non-entry titles. Specifically, Murase teaches that its Video Title Set management information c134 in FIG. 34A includes all PCG information c136, and no other type. See Murase, Col. 37, ll. 12-51. Further, there is no indication that any of the titles of c136 have mutually different reproduction paths. Instead, it appears that the titles include a single initial reproduction path, and their respective video objects may be read sequentially thereafter, without unique reproduction paths included in

each title. *See* Murase, Col. 27, ll. 30-45. Thus, Murase does not teach or suggest the various types of titles recited in claim 1 or their exclusive reproduction paths.

Because Murase does not teach each and every element of claim 1, Murase cannot anticipate or render obvious claim 1. Claims 10-12 and 17 recite apparatuses and methods configured to create or reproduce at least the unique data structure features recited in claim 1 and are thus equally allowable over Murase. Claims 2-4, 6, 8, 9, 13-15, 18, and 19 are allowable at least for depending from an allowable base claim. Withdrawal of the rejection to claims 1-4, 6, 8-15, and 17-19 under 35 U.S.C. § 102(b) is respectfully requested.

35 U.S.C. § 103 Rejection

Claims 5, 16 and 20 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Murase. Claim 7 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Murase as applied to claims 1-6 and 8-20 above, and further in view of US Pat 5,915,067 to Nonomura et al. ("Nonomura"). Applicants respectfully traverse these rejections for the reasons detailed below.

Nonomura does not cure, nor does the Examiner apply is for curing, the disclosure and suggestion deficiencies of Murase discussed above with regard to claim 1. Specifically, Nonomura is silent with regard to management information having different types of titles and mutually different reproduction paths in each of the stored titles. Because Murase, alone or in combination with Nonomura, fails to teach or suggest each and every element of claims 1, 10-12 and 17, these references cannot anticipate or render obvious these claims. Claims 5, 16, and 20 are allowable at least for depending from an allowable base claim. Withdrawal of the rejection to claims 5, 16, and 20 under 35 U.S.C. § 103(a) is respectfully requested.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1-20 in connection with the present application is earnestly solicited.


Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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